

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MANHATTAN REVIEW LLC, et ano.,

Plaintiffs,

against

16-cv-0102 (LAK)

TRACY YUN, et al.,

Defendants.
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ORDER

Each of the three defendants has moved to dismiss the second amended complaint. Plaintiffs have moved for leave to file a third amended complaint. Defendants Kelly and Yun seek awards of attorneys' fees.

In a report and recommendation dated April 10, 2017, Magistrate Judge James C. Francis IV recommended that the motions to dismiss be granted, that the motion for leave to amend be denied on the ground of futility, and that the requests for attorneys' fees be denied without prejudice. The parties have filed objections to the recommendation insofar as it is adverse to them.

The objections all are overruled. The motions to dismiss the second amended complaint [DI 76, 79, 81] all are granted in all respects. The motion for leave to amend [DI 93] is denied. The requests for attorneys' fees are denied without prejudice to motions for such relief provided any such motions are filed on or before July 31, 2017.

SO ORDERED.

Dated: July 15, 2017

/s/ Lewis A. Kaplan

Lewis A. Kaplan
United States District Judge

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